

REMARKS

Applicant respectfully requests favorable reconsideration of this application, as amended.

Claims 1-3 remain pending. Claims 4-5 have been added. Accordingly, Claims 1-5 are active in the application.

Claims 1-3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over JP2588338 in view of JP2002-166835. The rejection is respectfully traversed.

The primary reference, JP '338, teaches the use of a pair movable pieces 25 and 27 which receive a fastening bolt and slide within a circular bore 24 to clamp and release a steering column 22. As is discussed in the subject application, Applicant found such a structure to be problematical in that the movable pieces may be rotated during operation of the clamping mechanism. This can lead to instability as well as possible biting into the steering column member. See, e.g., the discussion at pages 2 and 3.

The secondary reference, JP '835, also discloses a structure in which movable pieces 11a and 11b receive a fastening bolt 14 therethrough and operate to clamp and release a steering column 1. In contrast to the structure of JP '338, however, the movable pieces do not slide within a bore, but move up and down along inclined surfaces, toward and away from the steering column. The fastening bolt also

moves up and down with the movement of the movable pieces, again, unlike JP '338.

It is apparent that JP '835 does not teach or suggest any problem with a structure such as that taught in JP '338, in which the movable pieces slide within a bore. Consequently, there is nothing in JP '835 to suggest modifying the bore of JP '338 to a non-circular shape, as claimed, and to correspondingly modify the movable pieces of such a structure. Indeed, given the clear disparity in the design and operation of the JP '338 and JP '835 references, one of ordinary skill in the art would not have sought to modify JP '338 based upon the teachings of JP '835.

It is noted that the asserted motivation for the proposed combination of JP '835 and JP '338 is "to prevent undesired rotation and ensure proper alignment of the sliding member and the inner column to allow for proper contact." Office Action, page 3. However, there is no basis whatsoever for the asserted motivation in the cited references or elsewhere in the prior art. Indeed, it is apparent that the asserted motivation is drawn from Applicant's own disclosure (see, e.g., the discussion at pages 2 and 3), and is therefore based on improper hindsight in view of Applicant's present teachings.

Accordingly, Applicant respectfully submits that the outstanding rejection is untenable, and that Claims 1-3 are thus clearly in condition for allowance.

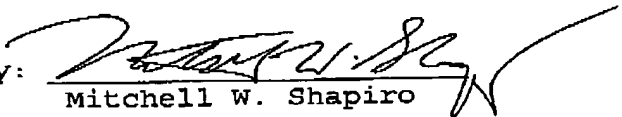
Independent Claim 4 and its dependent Claim 5 have been added to provide specific protection for additional aspects of Applicant's invention. These claims are allowable for reasons similar to those discussed above with respect to Claim 1.

This application is in condition for allowance and should now be passed to issue.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (XA-9971) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

By:

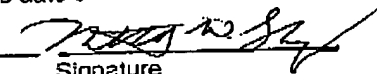

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